

FILED Received for Filing Oakland County Clerk 2/14/2019 3:39 PM

Original - Court 1st copy - Defendant		2nd copy - Plaintiff 3rd copy - Return
<b>STATE OF MICHIGAN</b> JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT COUNTY PROBATE	<b>SUMMONS</b>	<b>CASE NO.</b> 19-170791-NO
Court address 1200 N. Telegraph Rd., Pontiac, MI 48341		Court telephone no. 248-858-0351
Plaintiff's name(s), address(es), and telephone no(s). SANDRA LANDAU	v	Defendant's name(s), address(es), and telephone no(s). TARGET CORPORATION
Plaintiff's attorney, bar no., address, and telephone no. MATTHEW NDONWI (P82601) 535 Griswold St., Suite 2632 Detroit, MI 48226 313-324-8300	This case has been designated as an eFiling case. To review a copy of the Notice of Mandatory eFiling visit <a href="http://www.oakgov.com/efiling">www.oakgov.com/efiling</a> .	

**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

**Domestic Relations Case**

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. Attached is a completed case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

**Civil Case**

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

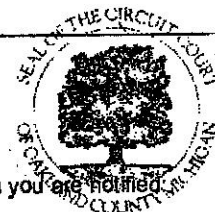
been previously filed in ☐ this court, ☐ \_\_\_\_\_ Court, where

it was given case number \_\_\_\_\_ and assigned to Judge \_\_\_\_\_

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

**SUMMONS**



**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified.

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 2/14/2019	Expiration date* 4/3/2019	Court clerk Lisa Brown
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (6/16) **SUMMONS**

MCR 1.109(D), MCR 2.102(B), MCR 2.104, MCR 2.105

2-26-2019

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6020190226007537

**EXHIBIT**

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*A*

**PROOF OF SERVICE**

**SUMMONS**  
Case No. 19-170791-NO

**TO PROCESS SERVER:** You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

<input type="checkbox"/> <b>OFFICER CERTIFICATE</b> I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)	OR	<input type="checkbox"/> <b>AFFIDAVIT OF PROCESS SERVER</b> Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)
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- ☐ I served personally a copy of the summons and complaint.
- ☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with \_\_\_\_\_
- List all documents served with the summons and complaint

\_\_\_\_\_ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$		Signature _____
Incorrect address fee \$	Miles traveled	Fee \$	<b>TOTAL FEE</b> \$	Name (type or print) _____
				Title _____

Subscribed and sworn to before me on \_\_\_\_\_ Date \_\_\_\_\_ County, Michigan.

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Signature: \_\_\_\_\_  
Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and complaint, together with \_\_\_\_\_ Attachments

\_\_\_\_\_ on \_\_\_\_\_ Day, date, time

Signature \_\_\_\_\_ on behalf of \_\_\_\_\_

This case has been designated as an eFiling case. To review a copy of the Notice of Mandatory eFiling visit [www.oakgov.com/efiling](http://www.oakgov.com/efiling).

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SANDRA LANDAU,

Plaintiff,

vs.

TARGET CORPORATION,

Defendant.

2019-170791-NO

Case No. 2018- -NO  
Hon. JUDGE Nanci J. Grant

\_\_\_\_\_  
MATTHEW NDONWI (P82601)  
VEN R. JOHNSON (P39219)  
JOHNSON LAW, PLC  
Attorneys for Plaintiff  
535 Griswold Street, Suite 2632  
Detroit, MI 48226  
(313) 324-8300 (fax-8301)  
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[vjohnson@venjohnsonlaw.com](mailto:vjohnson@venjohnsonlaw.com)  
\_\_\_\_\_

**COMPLAINT AND JURY DEMAND**

There is no other civil action between these parties arising out of the same transaction or occurrence alleged in the complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge.

/s/Matthew Ndonwi  
Matthew Ndonwi (P82601)

Plaintiff, SANDRA LANDAU, by and through her attorneys, JOHNSON LAW, PLC.,  
for her Complaint against Target Corporation, states as follows:

1. Plaintiff, Sandra Landau ("Sandra") is a resident of City of Northville, Oakland county, Michigan.
2. Defendant, Target Corporation ("Target") is a foreign corporation, which conducts business at 27100 Wixom Road, Novi, Oakland county, Michigan ("Novi Target").



3. On Saturday July 15, 2017, at approximately 10:10 P.M., Sandra and her husband Steve Landau ("Steve") were at Novi Target as business invitees.

4. As Sandra and Steve approached the entryway, Steve opened the outside door, which was apparently manual/semiautomatic, for Sandra to walk in.

5. Immediately and without warning, the door malfunctioned, quickly closing on Sandra while she was still walking through the door way and slammed Sandra on the right side of her body.

6. As the direct and proximate cause of the above defective condition, Sandra sustained severe and permanent physical and emotional injuries including but not limited to head, neck, right shoulder, ribs, etc.

#### **COUNT I – PREMISES LIABILITY**

7. Sandra reasserts and realleges the allegations contained in Paragraphs 1 through 6 as if fully set forth herein.

8. At all times relevant to this lawsuit, Target owned, possessed, maintained, controlled or otherwise exercised possession and control over Novi Target, where Sandra's accident occurred.

9. At all times relevant to this lawsuit, Target owed certain duties to the general public, its invitees, and in particular to Sandra, to keep and maintain its premises in a reasonably safe condition, and to avoid and eliminate the existence of known or reasonably anticipated hazards.

10. Target breached these duties in the following ways, including but not limited to:

- a. Negligent failure to safely and timely maintain, handle, fix, repair and/or replace the door at the entryway;
- b. Negligent failure to inspect the defective premises;

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- c. Negligent failure to make sure that the doors, at all times, operated correctly so as not to cause injury to invitees shopping at the premises;
- d. Negligent failure to timely respond to the malfunctioning doors;
- e. Negligent failure to disable the defective mechanism so it would not snap and close on unsuspecting invitees;
- f. Negligent failure to warn or otherwise caution its invitees as to the defective condition by failing to place safety cones or signs;
- g. Negligent failure to respond to and/or act to eliminate the defective and hazardous condition having active and/or constructive knowledge of the defective and hazardous condition;
- h. Negligent failure to supervise the servicing, maintenance and/or upkeep of the premises to ensure that its condition was safe for use by its invitees and the public;
- i. Negligent failure to regularly inspect the premises/equipment for dangerous and hazardous conditions, including but not limited to the malfunctioning doors;
- j. Negligent failure to properly train, supervise, manage and/or instruct its employees, agents and representatives to inspect and correct defective conditions on the premises;
- k. Negligent failure to create, implement and/or enforce policies and procedures to ensure the safety, maintenance and timely repair of the malfunctioning entryway doors;

- l. Creating a dangerous and hazardous condition on the premises or contributing to the creation of a dangerous and hazardous condition on the premises; and
- m. Other breaches and acts of negligence learned through the course of discovery.

11. The defective condition on Target's premises was not known to Sandra or Steve, and did not constitute an open and obvious condition because Sandra or Steve could not see upon casual inspection that the door would close on Sandra as she walked through the entry to the Target store.

12. As a direct and proximate result of Target's breach of the above duties, Sandra suffered severe, permanent, painful and disabling injuries, including but not limited to:

- a. Injuries to her head, neck, right shoulder, ribs, etc.;
- b. Physical pain and suffering;
- c. Mental anguish;
- d. Fright and shock;
- e. Denial of social pleasure and enjoyments;
- f. Embarrassment, humiliation and/or mortification;
- g. Aggravation of pre-existing ailment and condition;
- h. Past and future medical treatment expenses and/or wage loss;
- i. Disability relating to the above injuries; and
- j. All other damages learned through the course of discovery.

WHEREFORE, Sandra Landau respectfully requests judgment in her favor and against Target Corporation in an amount in excess of \$75,000, exclusive of costs, interest and attorney fees so wrongfully incurred.

**COUNT II – NEGLIGENCE/GROSS NEGLIGENCE**

13. Sandra reasserts and realleges the allegations contained in Paragraphs 1 through 12 of this Complaint as if fully set forth herein.

14. At all times relevant to this lawsuit, Target owned, possessed, maintained, controlled or otherwise exercised possession and control over the premises at 27100 Wixom Road, Novi, Michigan, where Sandra's accident occurred.

15. At all times relevant to this lawsuit, Target owed certain duties to the general public, its invitees, and in particular to Sandra, to keep its premises in a reasonably safe condition and to avoid and eliminate the existence of known or reasonably anticipated hazards.

16. Target breached these duties in the following ways, including but not limited to:

- a. Negligent failure to safely and timely handle, fix, repair and/or replace the door at the entryway;
- b. Negligent failure to inspect the defective premises;
- c. Negligent failure to make sure that the automatic doors at all times operated correctly so as not to cause injury to invitees shopping at the premises;
- d. Negligent failure to timely respond to the malfunctioning doors;
- e. Negligent failure to disable the defective mechanism so it would not slam on unsuspecting invitees;

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- f. Negligent failure to warn or otherwise caution its invitees as to the defective condition by failing to place safety cones or signs;
- g. Negligent failure to respond to and/or act to eliminate the defective and hazardous condition having active and/or constructive knowledge of the defective and hazardous condition;
- h. Negligent failure to supervise the servicing, maintenance and/or upkeep of the premises to ensure that its condition was safe for use by its invitees and the public;
- i. Negligent failure to regularly inspect the premises/equipment for dangerous and hazardous conditions, including but not limited to the malfunctioning doors;
- j. Negligent failure to properly train, supervise, manage and/or instruct its employees, agents and representatives to inspect and correct defective conditions on the premises;
- k. Negligent failure to create, implement and/or enforce policies and procedures to ensure the safety, maintenance and timely repair of the malfunctioning entryway doors;
- l. Creating a dangerous and hazardous condition on the premises or contributing to the creation of a dangerous and hazardous condition on the premises; and
- m. Other breaches and acts of negligence learned through the course of discovery.



17. The defective condition on Target's premises was not known to Sandra or Steve and did not constitute an open and obvious condition because Sandra or Steve could not see upon casual inspection that the door would close on Sandra as she walked through the entryway to the Novi Target.

18. As a direct and proximate result of Target's breach of the above duties, Sandra suffered severe, permanent painful and disabling injuries, including but not limited to:

- a. Injuries to her head, neck, right shoulder, ribs, etc.;
- b. Physical pain and suffering;
- c. Mental anguish;
- d. Fright and shock;
- e. Denial of social pleasure and enjoyments;
- f. Embarrassment, humiliation and/or mortification;
- g. Aggravation of pre-existing ailment and condition;
- h. Past and future medical treatment expenses and/or wage loss;
- i. Disability relating to the above injuries; and
- j. All other damages learned through the course of discovery.

WHEREFORE, Sandra Landau respectfully requests judgment in her favor and against Target Corporation in an amount in excess of \$75,000, exclusive of costs, interest and attorney fees so wrongfully incurred.

Respectfully submitted,

JOHNSON LAW, PLC

By: /s/Matthew Ndonwi  
 MATTHEW NDONWI (P82601)  
 VEN R. JOHNSON (P39219)  
 Attorneys for Plaintiff

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Dated: December 31, 2018

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SANDRA LANDAU,

Plaintiff,

vs.

TARGET CORPORATION,

Defendant.

2019-170791-NO

Case No. 2018- -NO

Hon. JUDGE Nanci J. Grant

\_\_\_\_\_  
 MATTHEW NDONWI (P82601)  
 VEN R. JOHNSON (P39219)  
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[vjohnson@venjohnsonlaw.com](mailto:vjohnson@venjohnsonlaw.com)  
 \_\_\_\_\_

**DEMAND FOR JURY TRIAL**

NOW COMES the Plaintiff, SANDRA LANDAU, by and through her attorneys, JOHNSON LAW, PLC, and hereby demands a trial by jury in the above entitled cause.

Respectfully submitted,

JOHNSON LAW, PLC

By: /s/Matthew Ndonwi  
 MATTHEW NDONWI (P82601)  
 VEN R. JOHNSON (P39219)  
 Attorney for Plaintiff  
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Dated: December 31, 2018